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Measures to eliminate international terrorism

Security Council
Fifty-seventh year

Letter dated 5 April 2002 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to refer to the incident last week in which two members of the Temporary Observer Force in Hebron (TIPH) were killed when their vehicle came under fire from a Palestinian gunman west of the city.

According to reports from a third TIPH member who was riding in the vehicle and was injured in the attack, a Palestinian terrorist in a Palestinian police uniform and armed with a Kalashnikov assault rifle opened fire on three members of the TIPH force. Despite the travellers' pleading with the gunman that they were members of TIPH and the fact that the vehicle was clearly marked with the organization's logo, the shooting continued until the gunman had used up all his ammunition. He then fled in the direction of Palestinian-controlled territory. Israel deeply regrets the deaths of these two TIPH members and joins with other members of the international community in expressing our sympathy and condolences to the families of the victims and to the Governments of Turkey and Switzerland.

Unfortunately, this is not the first time that Palestinian terrorism has endangered the lives and well-being of international personnel and humanitarian workers in the region. Just last week, on 27 March 2002, Isaiam Jibril, a Tanzim terrorist, was arrested by the Israeli Defence Forces (IDF) near Ramallah. At the time of his arrest, Jibril was working as the driver of a Red Crescent ambulance. Upon searching the ambulance, Israeli forces also discovered a belt, of the type used by suicide bombers, comprising 16 pipes and 10 kilograms of explosive material. The belt had been concealed under a medical mattress and a young child was sitting on top of it.

Other examples abound. Wafa Idris, the Palestinian terrorist that blew herself up on a Jerusalem street on 27 January 2002, had worked as a medical secretary for the Palestinian Red Crescent. The terrorist that sent Idris on her suicide mission was Mohammed Hababa, a Tanzim operative who worked as a driver for the Palestinian Red Crescent. Evidence suggests that Idris used her medical accreditation, and possibly even a Red Crescent vehicle, to gain access to Israel.

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On other occasions, Palestinian terrorists have initiated acts of violence while situated in close proximity to civilians or civilian installations. In the first months following the outbreak of violence in September 2000, Palestinian gunmen routinely opened fire on Israeli soldiers from the middle of crowds of civilians, including children. Terrorist organizations often situate their headquarters, offices, and bomb-making factories in residential apartment buildings hoping to avoid reprisals.

More recently, Palestinian terrorists took over St. Mary's Church and took a priest and a number of nuns hostage against their will. The terrorists used the Church as a firing position, from which they shot at IDF soldiers in the area. An IDF force was forced to enter the Church grounds and evacuate the priest and nuns. Similarly, at Bethlehem's Church of the Nativity, Palestinian gunmen seeking refuge there opened fire on Israeli soldiers in the area.

The use of humanitarian vehicles to transport weapons and explosives and the practice of situating terrorist bases in close proximity to civilians, international and humanitarian personnel or holy sites are predicated on the understanding that Israeli forces will not attack and endanger those targets. If Israel does respond to a terrorist attack and civilian casualties ensue, the terrorists can then exploit such casualties in the media as evidence of Israeli brutality. In the cold calculus of terrorism, this is considered a win-win situation.

Such tactics therefore constitute a cynical and deadly manipulation of Israeli goodwill and accepted international humanitarian norms for the perpetration of deadly violence against Israeli civilians. These are tactics that, if not resolutely addressed and condemned by the international community, threaten not only Israeli civilians, but the lives of humanitarian workers and international personnel all over the world. Furthermore, if such practices are permitted to become commonplace, it will substantially hinder the ability of the United Nations, the International Red Cross and other international bodies and humanitarian agencies to provide peacekeeping, humanitarian and other services in areas of conflict. Ultimately, it will prevent such organizations from carrying out their vital mandate.

The deaths of the TIPH members should serve to remind us once again that terrorism knows no boundaries and, if it is not firmly combated, poses a threat beyond its immediate targets. Addressing this threat requires, first and foremost, that we be willing to call terrorism by its name and to be fearless in placing blame where it is due. No terrorist group can be allowed to believe that it can continue to endanger innocent lives with impunity.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the General Assembly, under agenda item 166, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

United Nations S/2002/361

Security Council

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Letter dated 8 April 2002 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council

I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council to be held today, Monday, 8 April 2002, regarding the situation in the Occupied Palestinian Territory, including Jerusalem.

(*Signed*) Dr. Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

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Agenda items 25, 41, 42 and 166

United Nations Year of Dialogue among Civilizations

Question of Palestine

The situation in the Middle East

Measures to eliminate international terrorism

Security Council
Fifty-seventh year

Letter dated 4 April 2002 from the Permanent Representative of Mali to the United Nations addressed to the Secretary-General

I have the honour, in my capacity as Chairman of the Islamic Group, to transmit herewith the texts of the Statement on the Situation in the Occupied Palestinian Territories and the Kuala Lumpur Declaration on International Terrorism, adopted by the Islamic Conference of Foreign Ministers at its extraordinary session on terrorism, held in Kuala Lumpur, Malaysia, from 1 to 3 April 2002 (see annexes).

I should be grateful if you would have the text of the present letter and its annexes circulated as a document of the General Assembly, under agenda items 25, 41, 42 and 166, and of the Security Council.

(*Signed*) Moctar **Ouane**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of the Republic of Mali
to the United Nations

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Annexes to the letter dated 4 April 2002 from the Permanent Representative of Mali to the United Nations addressed to the Secretary-General

[Original: Arabic, English and French]

Annex I

THE STATEMENT ON THE SITUATION IN THE OCCUPIED PALESTINIAN TERRITORIES BY THE EXTRAORDINARY SESSION OF THE ISLAMIC CONFERENCE OF FOREIGN MINISTERS ON TERRORISM

The Ministers closely examined the grave conditions prevailing in the occupied Palestinian territories and reaffirmed all the Islamic resolutions on Palestine, Al-Quds Al-Sharif and the Arab-Israeli conflict. The Conference strongly condemned the recent Israeli storming of Palestinian cities and villages, as well as the Headquarters of the Palestinian Presidency and endangering the life of President Arafat and of the members of the Palestinian leadership. The Conference considered this assault a violation of all international norms and laws and the culmination of state terrorism as practised by Israel.

The Conference, while cautioning Israel of the dire consequences of the attack on the Palestinian President, requests the UN Security Council, the two sponsors of the peace process and the European Union to assume their responsibility for immediately stopping the Israeli aggression and withdrawing the Israeli troops from all the occupied Arab and Palestinian territories.

The Conference, while lauding with great pride the steadfastness of the Palestinian people under the leadership of President Yasser Arafat and paying tribute to its valiant resistance and its blessed intifada, reaffirms the continuing support of the Islamic States for the Palestinian People's struggle for the liquidation of the Israeli occupation, the restoration of their inalienable national rights, including the right of refugees to return to their homes, the right to self-determination and to establish their sovereign state with Al-Quds Al-Sharif as its capital.

The Conference, while condemning the state terrorism exercised by Israel and demonstrated by the assassination of Palestinian leaders, citizens, security personnel and policemen, the destruction of the Palestinian National Authority institutions and infrastructures as well as the imposition of the blockade on the Palestinian people and its leadership, requests the international community to take immediate action to stop the Israeli aggression and illegitimate practices, and lift the blockade.

The Conference also requests the UN Security Council to take the necessary measures to provide international protection for the Palestinian people and apply deterrent sanctions against Israel.

Israel's terrorist actions and aggressive practices, posing a threat to international peace and security, and dragging the region towards an all-out war, necessitate immediate action by the UN Security Council to apply Chapter VII of the UN Charter.

The Conference welcomes the Arab peace initiative taken by the Fourteenth Arab Summit Conference in Beirut, and requests the Security Council to put in place a mechanism for implementing that initiative in its entirety according to the relevant resolutions of the international legitimacy.

Kuala Lumpur on 1 April 2002

Annex II

Following is the Kuala Lumpur Declaration on International Terrorism, adopted on 3 April 2002, at the Extraordinary Session of the Islamic Conference of Foreign Ministers, held in Kuala Lumpur, Malaysia:

Kuala Lumpur Declaration On International Terrorism

1. In the name of Islamic solidarity, we, the Foreign Ministers of the Organization of the Islamic Conference (OIC), have gathered in Kuala Lumpur to state our collective resolve to combat terrorism and to respond to developments affecting Muslims and Islamic countries in the aftermath of the 11th September attacks;

2. We recall earlier measures adopted by the OIC in combating international terrorism, including the Code of Conduct for Combating International Terrorism, the OIC Convention on Combating International Terrorism, which inter alia provides a definition of terrorism, and the Declaration of the 9th Extraordinary Session of ICFM as well as relevant OIC resolutions on combating international terrorism;

3. We take note of the important inaugural statement by The Honorable Prime Minister of Malaysia, Dato' Seri Dr Mahathir bin Mohamad, which constitutes an official document of this Extraordinary Session;

4. We reaffirm our commitment to the principles and true teachings of Islam which abhor aggression, value peace, tolerance and respect as well as prohibiting the killing of innocent people;

5. We reject any attempt to link Islam and Muslims to terrorism as terrorism has no association with any religion, civilization or nationality;

6. We reiterate that preventive action taken to combat terrorism should not result in ethnic or religious profiling or the targeting of a particular community;

7. We unequivocally condemn acts of international terrorism in all its forms and manifestations, including state terrorism, irrespective of motives, perpetrators and victims as terrorism poses a serious threat to international peace and security and is a grave violation of human rights;

8. We reiterate the principled position under international law and the Charter of the United Nations of the legitimacy of resistance to foreign aggression and the struggle of peoples under colonial or alien domination and foreign occupation for national liberation and self-determination. In this context, we underline the urgency for an internationally agreed definition of terrorism, which differentiates such legitimate struggles from acts of terrorism;

9. We also underline the imperative of respect for international humanitarian law protecting civilian populations;

10. We reject any attempt to link terrorism to the struggle of the Palestinian people in the exercise of their inalienable right to establish their independent state with Al-Quds Al-Sharif as its capital;

11. We reject any attempt to associate Islamic states or Palestinian and Lebanese resistance with terrorism which constitutes an impediment to the global struggle against terrorism;

12. We condemn Israel for its escalating military campaign against the Palestinian people, including the daily brutalization and humiliation of its civilians, resulting in mounting casualties, strangulation of the Palestinian economy, systematic and indiscriminate destruction of houses and residential facilities as well as infrastructure, institutions and structures of the Palestinian National Authority;

13. We emphasize the importance of addressing the root causes of international terrorism, convinced that the war against terrorism will not succeed if the environment that breeds terrorism, including foreign occupation, injustice and exclusion, is allowed to thrive;

14. We reaffirm our commitment to international action in combating international terrorism undertaken in conformity with the principles of the Charter of United Nations, including the principles of non-intervention in internal affairs and respect for sovereignty and territorial integrity, as well as international law and relevant international conventions and instruments;

15. We reject any unilateral action taken against any Islamic country under the pretext of combating international terrorism, as this will undermine global cooperation against terrorism;

16. We reiterate our call for the convening of an international conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations;

17. We thus reaffirm our commitment to action at national level and through international cooperation in combating terrorism and agree to the following Plan of Action:

Plan of Action

1. We hereby establish a 13-member open-ended Ministerial-level OIC Committee on International Terrorism with the mandate to formulate recommendations on the following matters:

1.1 measures to strengthen OIC cooperation and coordination in combating international terrorism;

1.2 ways of expediting the implementation of the OIC Code of Conduct and the Convention on Combating International Terrorism;

1.3 measures in projecting the true image of Islam. These include holding seminars and workshops to promote a better understanding of Islam and its principles;

1.4 measures in strengthening dialogue and understanding among different civilizations, cultures and faiths, for instance, by building on initiatives such as the United Nations Dialogue Among Civilizations and the OIC-EU Joint Forum on Harmony and Civilization;

1.5 other measures, as appropriate and in accordance with the Charter of the OIC as well as Summit and ICFM resolutions, in response to developments affecting Muslims and Islam arising from action to combat terrorism.

We agree that the Committee will present its recommendations to member states and to the ICFM for consideration and action. The Committee is mandated to study the work of other international organizations in matters related to international terrorism. Member countries of the Committee are mandated to contribute to the work of the OIC Group in New York in matters related to international terrorism.

2. We will work towards the early conclusion of a Comprehensive Convention on International Terrorism. In this regard, we reiterate our support to the positions adopted by OIC member states at the ongoing negotiations on the said Convention.

3. We will work towards an internationally agreed definition of terrorism and terrorist acts, which shall be differentiated from the legitimate struggle and resistance of peoples under colonial or alien domination and foreign occupation for national liberation and self-determination, for incorporation into the draft Comprehensive Convention on International Terrorism.

4. We will work towards the early convening of an international conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations.

5. We will, at all relevant multilateral fora, maintain a united front in upholding the principled position on the legitimacy of the struggle of peoples under colonial or alien domination and foreign occupation for national liberation and self-determination.

6. We will continue to work through the United Nations Security Council and directly with countries concerned to put an end to the escalating Israeli aggression against the Palestinian people, provide the necessary international protection for the Palestinians and undertake efforts to secure a just, comprehensive and durable solution to the Middle East conflict based on United Nations Security Council Resolutions 242, 338 and 425, United Nations General Assembly Resolution 194 and the principle of land for peace. In this context, we will exert every effort to realize the Arab Peace Initiative adopted by the 14th Arab Summit in Beirut on 28 March 2002. Further, we will continue to provide political, material and moral support and assistance to the Palestinians.

7. We will continue to work with other countries and support efforts of the international community in combating international terrorism undertaken under the auspices of the United Nations in a transparent and impartial manner and in conformity with the principles of the Charter of the United Nations, international law and relevant international conventions and instruments. These include implementing relevant United Nations Security Council Resolutions, particularly United Nations Security Council Resolution 1373, as well as expediting our accession to or ratification of relevant international Conventions and Protocols relating to terrorism.

8. We will make every effort at the international level to promote a collective security regime responding to security and development needs of all countries as well as to promote conducive political, socio-economic environment that will stifle support for terrorist activities and eliminate the causes of terrorist acts.

9. We will, at the national level, continue to pursue policies and strategies aimed at enhancing the well-being and prosperity of our peoples, as well as addressing and resolving domestic factors that contribute to terrorism.